

April 5, 2012

Ms. Kathleen Baskin
Director of Water Policy
Executive Office of Energy and Environmental Affairs
100 Cambridge Street, 9th floor
Boston, MA 02114



Dear Ms. Baskin,

On behalf of the Massachusetts Rivers Alliance and the 25 signatory organizations to this letter, thank you for the opportunity to comment on the Sustainable Water Management Initiative (SWMI) draft framework, dated 2/3/12. We wish to acknowledge the hard work and dedication of the EOEEA, DEP, DCR, and DFG staff, and of the other stakeholders, all of whom have wrestled with SWMI's science and policy challenges over the past two and a half years. We greatly appreciate the opportunity to participate in this critically important initiative.

Although the state has asked us to "accept" the SWMI framework in its entirety, our honest response continues to be that parts of this proposed policy are very good, and other parts are not. The stream flow classification system, based on a peer-reviewed study by the USGS and the Department of Fish and Game provides the foundation for sustainable management of water resources in Massachusetts. It is our hope that you will continue your commitment to the solid science that underlies the new framework, to the new stream flow criteria, and to the principles of improving flow-depleted streams, no backsliding, and mitigation commensurate with impact. Some parts of the proposal still need work. We urge you to take an impacts-based approach to baseline, and to clarify and quantify mitigation requirements. Finally, we ask that you go back to the drawing board with Safe Yield. We have elaborated on all these points – and several others – in the following pages. It is our hope that you will use our comments to improve the proposal, as you continue the process into its next stage of pilot projects and promulgation of new regulations.

A timely issue. There is an urgent need for more sustainable water management in Massachusetts. With about 20% of the state's streams suffering from severe summertime stream flow depletion due to groundwater withdrawals, the current system of water allocation is failing our streams and our communities. Until we have in place a more



Danforth Brook, Hudson in May (left) and August (right)

thoughtful, balanced water allocation system, a warming climate and increased future development in our state will exacerbate the problem, leading to

more chronically dry

streambeds in the future, and water supply shortages. The time to fix our water allocation system is now.

The Massachusetts Rivers Alliance, an alliance of 38 member organizations, believes that healthy streams can exist alongside and support a thriving, growing economy. In fact, we'd go a step farther and say that sustainable water resources are absolutely crucial to a strong economy. A good water allocation policy encourages growth in places that can best support it, while curbing unnecessary, excessive water use. We share the state's view that our most pristine streams should be protected, and we believe strongly that – at the other end of the spectrum – “no river should be left behind.” We support the framework's goals of maintaining near natural flow in our most outstanding resource waters, and returning flow to depleted streams. While in our view, stream flow goals should echo those of the federal Clean Water Act – designating Flow Category 3 as a minimum standard for all streams – we agree that at a minimum, no stream should be allowed to get worse (“no backsliding”) and that existing impacts must be minimized and mitigated. We have reviewed the SWMI framework with these goals in mind.

Stream flow Standards. Science-based stream flow criteria that define the water needed to maintain a healthy environment are an important component of sustainable water management, and if properly implemented, will lead to healthier streams in Massachusetts. In our view, the biological and flow categorization of streams provide a solid framework upon which to base these standards, and the “tiers table” lays out a reasonable (if complicated) approach to more predictable permitting. This table includes several important elements that we strongly support:

- The requirement that water suppliers in severely flow-depleted subbasins take steps to improve the conditions in local streams, whether or not they are requesting additional water and that impacts must be minimized to the greatest extent feasible.
- The eight specific items that must be considered in determining what is ‘greatest extent feasible’ to minimize impacts on our most flow depleted streams. We urge that the regulations also specify these eight items to describe the means by which existing impacts will be minimized.
- Requiring that new or additional withdrawals must mitigate their impact on aquatic habitat commensurate with the impact these new withdrawals will have on rivers and streams.
- Requiring that a new or additional withdrawal may not lower a flow level or biological category of a stream, unless there is no feasible source with less environmental impact.

We do have serious concerns, however, about part of the permitting framework, as presented, particularly the way the framework handles “baseline,” and “mitigation,” two critical components of the new permitting system. Our comments below suggest ways these must be strengthened to ensure that the new permitting regime lives up to the agencies' goals for it: particularly, that the new permits support the state's stated principles to “avoid backsliding,” and to “mitigate and minimize commensurate with impact.”

Safe Yield. We remain frustrated by the state’s unwillingness to adequately apply the same good science to a powerful tool under the Water Management Act, Safe Yield. As many have pointed out, Safe Yield is the Water Management Act’s legal “backstop,” beyond which no additional water may be allocated. By completely divorcing the application of the Safe Yield numbers from the seasonal derivation of those numbers, the agencies have made Safe Yield – at best – irrelevant to Water Management Act permitting. Because the new Safe Yield numbers are too high and would be applied as an annual average in each watershed on a major basin-wide scale (Safe yields have been proposed for 27 major basins in the state, and by splitting Boston Harbor into three sub-basins and South Coastal basin into two sub-basins), they offer no seasonal or geographically-targeted protection to streams, or to the communities that depend on the water from these water sources. If the “Safe Yield” volumes were withdrawn evenly throughout the year, all basins would be pumped below safe levels or dry for months when flows are below Safe Yield, as the chart presented at the February 17th SWMI Technical Committee meeting made clear.

Although we appreciate the disclaimer that in permitting, Safe Yield is not intended to be a water allocation scheme and won’t override the application of stream flow criteria, an accurate Safe Yield in all seasons is legally required. Over the past two years, the Alliance and its member organizations have repeatedly provided written suggestions for how a science-based Safe Yield might be calculated and applied. We are disappointed that none of our suggestions were incorporated into the state’s methodology.

Below are our comments in more detail. There are many aspects of this complex proposal that we would prefer to see approached somewhat differently. We have chosen to focus on the areas that are the most important and the most problematic for us, in hopes that you will be responsive to our suggestions. These are Safe Yield, baseline, permit denials, and mitigation/offsets. A small number of additional, but also important, issues are discussed at the end of the letter.

1. SAFE YIELD

By law, Safe Yield is the maximum amount of water that can be pumped continuously from a water source, without fail, even during the driest period.¹ Safe Yield is important because it sets a limit on the total amount of water that can be withdrawn, so that water supplies will not be at risk of failure during dry periods and rivers will not be depleted beyond safe levels due to water withdrawals.

¹ “Safe Yield,” is “the maximum dependable withdrawals that can be made continuously from a water source including ground or surface water during a period of years in which the probable driest period or period of greatest water deficiency is likely to occur; provided, however, that such dependability is relative and is a function of storage and drought probability.” G.L. c. 21G, § 2.

“Water source,” is defined as “any natural or artificial aquifer or body of surface water, including its watershed where ground and surface water sources are interconnected in a single hydrological system.” G.L.c. 21G, § 2.

The proposed Safe Yield methodology fails to achieve these two important goals. Instead of insuring that “the ecological health of rivers” would be protected,² an analysis of EEA’s own data shows that the ecological health of every river in Massachusetts would be severely degraded if the EEA proposed Safe Yield were continuously withdrawn from our rivers. As shown in the attached analysis, even using EEA’s assumptions, if the EEA Safe Yields were continuously withdrawn from rivers:

- Flows would fall below the 45% so-called Environmental Protection Factor for 6-8 months of the MQ90³ drought year scenario for every river in Massachusetts.
- Twenty-three out of 25 rivers in Massachusetts would be pumped dry during 4-5 months of the MQ90 drought year scenario.
- Portions of 16 out of 25 rivers would be pumped dry for 1-3 months in summer, even in years with normal precipitation; some of these would be dry for up to 2/3 of the time in summer.

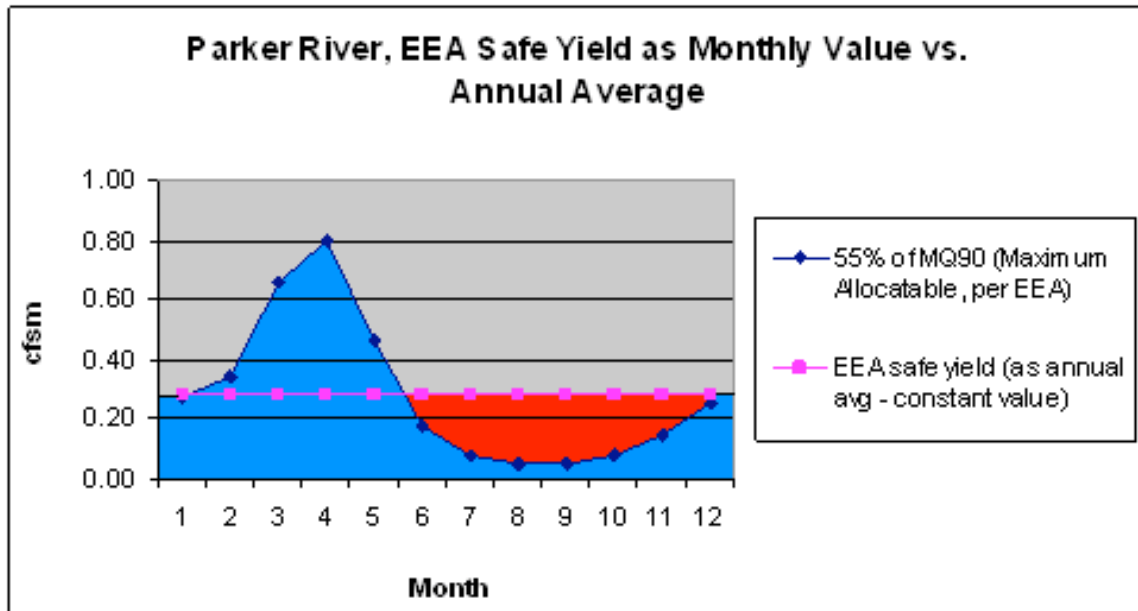
Many water supplies rely on pumping from rivers and watersheds year-round, with little or no off-stream water storage capacity. There are very few, if any, river systems that have the optimal pump, water storage and treatment infrastructure necessary to avoid these damaging impacts.

A fundamental flaw in the proposed Safe Yields is that they are expressed as annual averages rather than as seasonal limits. The annual average flow is not available continuously throughout the year, because the stream flows in Massachusetts are highly variable. Peak spring flows are 8-15 times higher than flows in August-September. By presenting Safe Yield as an annual average, the methodology ignores the fact that these volumes of water are not available and cannot be safely withdrawn in summer.

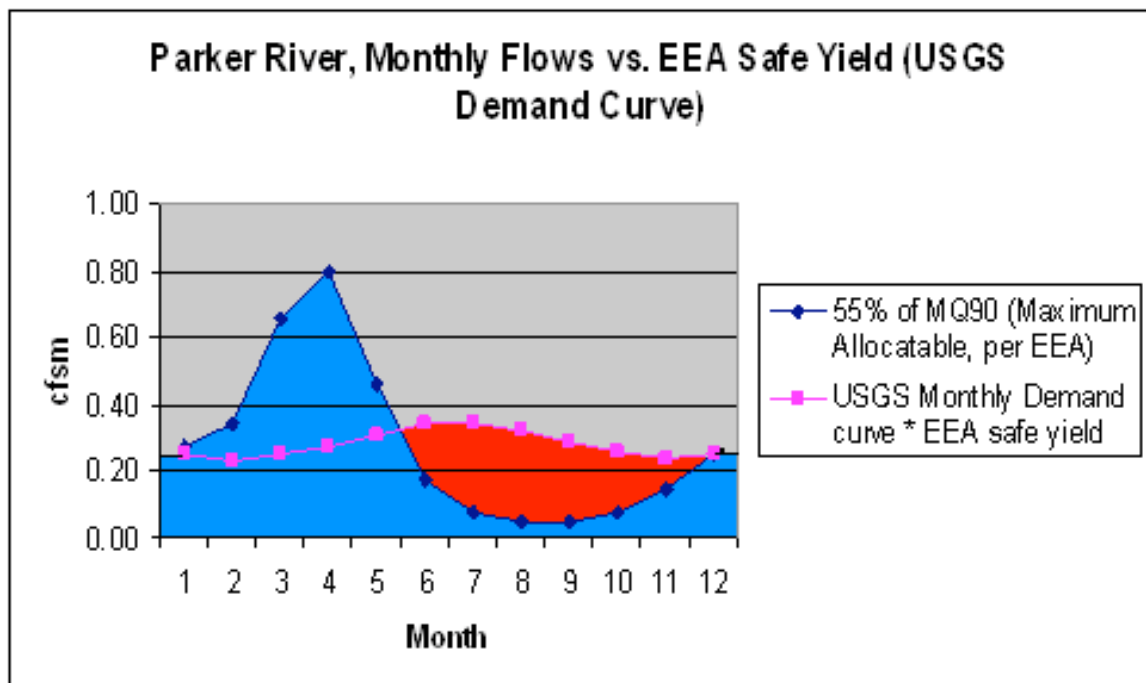
This problem of using an annual average is illustrated by the following graph of the maximum allocatable monthly flows, according to EEA, vs. the proposed Safe Yield in the Parker River. This graph shows that much less water is actually available from late spring to early fall than the proposed Safe Yield. A similar pattern results for all Massachusetts rivers.

² See, MassDEP Clarification of Safe Yield (2009).

³ MQ90 refers to the monthly flow that is exceeded 90% of the time; 10% of the flows are lower.



This problem is exacerbated by the fact that actual water demand patterns result in higher water withdrawals in summer, as shown in the following graph.⁴ Water withdrawals in some towns are more than 40% higher in summer than the year-round average. By law, Safe Yield is required to be the maximum withdrawal that can be sustained, not the average withdrawal.



⁴ This graph is based on the Table 2 from the USGS Water Indicators Report.

The second major flaw in the proposed Safe Yields is that they are calculated at the scale of a major river basin. Applying the methodology on a basin-wide scale ignores the severe flow depletion of 20% of the state's sub-basins and the vulnerability of headwater streams in general.

Recommendation

The state's Safe Yield methodology is so flawed that we believe the agencies should go back to the drawing board and try again. We note that in recent years, state and federal agencies have developed the science and technical tools necessary to do this right. As mentioned above, the Massachusetts Rivers Alliance and its member organizations have also devoted a great deal of effort to this problem and have shared with you several proposed Safe Yield methodologies, none of which has been incorporated in this proposal. We remain willing to work with you to develop a better Safe Yield methodology and we urge you to do so.

2. BASELINE

“No Backsliding” has consistently been one of the bedrock goals guiding the SWMI process. This means that healthier streams in Flow Levels 1, 2, and 3 should maintain their flow levels and biological categories. At the same time, streams in Flow Categories 4 and 5 should be improved by minimizing existing withdrawal impacts to the greatest extent feasible, and mitigation of additional withdrawals should be required to prevent these streams from deteriorating even further within their flow categories. Certainly, backsliding – which occurs when a subbasin slips down a flow level or biological category due to an increased, unmitigated withdrawal – should not be allowed,⁵ nor should it ever occur if mitigation is in fact “commensurate with impact.”

Baseline is the amount of water currently being used that defines what will be considered a “new” or “increased” withdrawal. The mitigation requirements will primarily be based on whether the request exceeds current use – defined as the baseline. The definition of baseline is therefore very important.

The current proposal defines baseline as an additional 8% over 2003-2005 water usage, or 5% if the 8% would cause the subbasin to drop a flow level or biological category. Baseline would be the DCR's Water Needs Forecast (WNF), if it is lower, or the registered volume, if higher (this trumps all other baselines, including the WNF). One problem with this method of setting baseline is that it allows increased stream impacts caused by additional withdrawals before the mitigation requirements even kick in.⁶ Even five percent of a large withdrawal is a lot of additional water, and the framework expressly permits an additional 5% to be withdrawn without mitigation *even if it causes the subbasin to drop a flow level or biological category*.

⁵ Backsliding also conflicts with the anti-degradation provisions of the Clean Water Act.

⁶ As the water suppliers have pointed out, the baseline proposal also rewards communities that have not saved water as compared to those that did save water.

Finally, a note on the mitigation chart states, “Credits will be considered for measures implemented within the previous 5-year period. Credits will also be considered if measures were implemented previously and are still in effect.” This implies that even if a new withdrawal would cause a decline in flow level or biological category and trigger tiered review, minimal or no mitigation might be required if the town had already, say, adopted a water bank or installed new radio-read water meters (two actions in the mitigation chart). Together, these policies will add up to substantial backsliding in some streams, and are unacceptable to us.

Recommendation

The baseline concept was developed before the SWMI process and was intended to be a deterrent to keep withdrawals below historical use. Despite overwhelming evidence to the contrary, it is now being proposed as the optimal condition -- with mitigation only necessary for *additional* withdrawals. Today, tools exist to evaluate withdrawal. The tier classification system would be more logical, tied to the available science, and fairer if its focus were on reviewing the impacts of a requested withdrawal, rather than on changes in historic withdrawal levels.

We therefore recommend crafting a new approach to tier classification that builds on the impact-based review threshold already incorporated in Tier 2. Specifically, we suggest defining the tiers as follows:

- Tier 1: Withdrawal request is “limited” (<1% increase in cumulative august median flow depletion vs 2000-2004) and will not result in slipping a flow or biological category.
- Tier 2: Withdrawal request is “small” (<5% increase in cumulative august median flow depletion vs 2000-2004) and will not result in slipping a flow or biological category
- Tier 3: Withdrawal request is “large” (>5% increase in cumulative august median flow depletion vs 2000-2004) and will not result in slipping a flow or biological category
- Tier 4: Withdrawal request, regardless of size, will result in slipping a flow or biological category.

The key point is that the entire regulatory system would be tied to impacts, and clearly connected to both the flow categories and the no backsliding goal, rather than being tied to arbitrary historical pumping data or registered withdrawal volumes, which have no direct relationship to impacts. An impact-based approach would avoid authorizing similarly situated permit applicants to make withdrawals that produce widely varying levels of environmental impact, or inequitably rewarding communities that have not saved water, as compared to those that did.

An additional benefit of this approach is that it encourages applicants to focus on the amount of water being returned as well as that being withdrawn. This provides a positive incentive for permittees to look at both sides of the water balance equation. However, it is important to note that there are water-quality considerations in situations where clean base flow will be eliminated in exchange for less-clean surface water discharges, especially in surcharged subbasins.

Lastly, this impact-based approach needs to incorporate the cumulative impacts of all withdrawal sources within a subbasin in order for the permitting process to be effective and protective of water resources.

We strongly favor the impact-based approach described above for the reasons given. It is critically important that the baseline not allow backsliding.

3. DENIAL OF NEW OR ADDITIONAL WITHDRAWALS

Without a functioning Safe Yield, it is essential that the Tiers Table include a clear path to denial of withdrawal requests that would cause unacceptable damage to streams. However the proposed framework is not clear about when the state will deny new or increased withdrawal requests. We can envision several scenarios when requests should be denied – if the new or increased withdrawal will cause a drop in flow level or biological category and the applicant is unable or unwilling to implement mitigation sufficient to restore the lost stream flow or if the requested new or additional withdrawal is in a Flow 4 or 5 subbasin and the applicant has failed to minimize the impacts of current withdrawals, to cite two examples.

Clear expectation of permit denial based on flow depletion trigger points will compel applicants to take mitigation and minimization requirements more seriously, and will drive municipalities toward other, less environmentally-damaging alternatives (i.e., tying in to the MRWA system, implementing steeply ascending conservation rates, etc.) before seeking more water from stressed local sources. The tiers table should make more explicit under what conditions the state will “just say no.” Without either a meaningful Safe Yield or permit denial as a real consequence for failure to mitigate impacts, the stream flow standards have no real meaning.

4. OFFSETS/MITIGATION TABLE

“Mitigation commensurate with impact” is a key principle of the WMA Tiers Table, and lies at the heart of the SWMI framework. Unfortunately, the mitigation requirement, as currently proposed, is extremely problematic. This principle means that additional withdrawals should cause no additional harm to the environment, and that current withdrawals that are causing severe stream flow depletion should be minimized to the greatest extent feasible. The current proposal fails to achieve these two important goals. Our concerns, followed by our suggestions for a better approach to mitigation are discussed below.

The listed activities are not measured and some will not achieve goals. Our chief concern about the mitigation/offset system as currently proposed, is that there is no mechanism to insure that the mitigation required will actually be commensurate with impact. The mitigation “pick list” includes a wide variety of activities, such as “adopt an enterprise fund,” “provide rebates for watersmart appliances,” and “increase billing frequency.” While these may be good management practices⁷ (and in fact billing and rebates are already required in the permits for those not meeting the performance standards), they won’t actually mitigate impacts of water withdrawals.

Measures on “pick list” should be targeted to help rivers by season and/or location.

The state agencies have repeatedly stated that stream flow criteria will address our concerns about the lack of seasonality and geographic scale for Safe Yield. However, the ability to estimate stream flow alteration and impacts of additional withdrawals in subbasins around the state only gets us halfway there. We need to apply the same scientific precision to implementing solutions that will address these problems by restoring the health of aquatic habitat. Under the Water Management Act, this primarily means providing enough flow, gallon-for-gallon, in the right places, at the right times of year, to ensure that healthy streams remain healthy, and degraded streams see improvement. The inclusion of items on this list that do not directly improve stream flow will mean that the pick list of activities will not achieve this goal. Without measurable instream goals to drive water suppliers to the most effective mitigation measures, they will likely opt instead for those that are cheapest and easiest to implement, not for those that will truly mitigate the impacts of their withdrawals.

Habitat improvements could fail to restore flow to rivers. We are also concerned about the way “habitat improvements,” another option on the list, could be implemented. We feel that habitat improvement activities should be strictly limited to those that directly improve the health of aquatic habitats, such as dam removals, or river restoration projects. We feel the framework should include this tight link because otherwise this could open the door for “mitigations” that do nothing to address the harm caused by additional water withdrawal. In the case of a recently proposed project, for example, the project proponent offered to put a conservation restriction, with public access, on land abutting the river. While this might avoid even more harm to the river from future development, this action wouldn’t mitigate the harm caused to the river by large withdrawals and thermal pollution from the new proposed facility. The permitting process should insure that an unrelated conservation or recreational benefit is not offered to “mitigate” a water withdrawal.

Mitigation must be complete before additional water is permitted. The proposal is silent on when mitigation should occur, but we strongly urge DEP to withhold permission for additional water use until after the mitigation is in place. Aside from the fact that allowing the additional withdrawal without mitigation would degrade streams, from a practical standpoint, it is much harder to get town meeting approval for a mitigation project if the permitted volume requested has already been granted.

⁷ Conservation measures will keep suppliers from tripping baselines, and hence having to mitigate.

Consultation should include local watershed groups. We welcome the inclusion of the Department of Fish and Game in the mitigation consultation process. We ask that the DEP also include local watershed groups (or if there are none, regional, or statewide river protection organizations) in the consultation and review process for minimization and mitigation plans. Many such organizations have collected extensive data on their rivers and developed river restoration plans; this information and the expertise of these groups should be incorporated early into the mitigation process. Consultation with agencies and watershed groups should be required for Tier 1 Flow Levels 4 and 5 as well. We would also like to see a review process that is transparent, and with watershed organization participation included early on in the process. Minimization/mitigation plans should be subject to public review before they are approved by DEP and issued as part of the permits.

Retroactive credit shouldn't be granted for past offset/mitigation measures. We oppose the granting of mitigation credit for improvements that occurred prior to the permit period, as mentioned under the baseline discussion.

Recommendation

We refer you to two memos from March, 2006, both entitled "Offset Credits," and a draft offset program chart, all developed by the WMA Advisory Committee's Environmental Work Group. These memos predate SWMI by six years, and not everything in them is applicable to the new permitting process. However, we think the basic 80/20 approach to mitigation, with 80% credit granted for true offsets, measured in gallons, and 20% in "soft credits," could be adapted to meet the goal of "mitigation commensurate with impact." This approach offers the benefits of both measurable mitigation measures and the flexible "best management practices."

However, we acknowledge these memos are just a start to a complex subject, and a more complete protocol should be developed for measuring mitigation and assigning credit. We are concerned that the EOEEA's current plan to assign this critical task to a consultant, along with a long list of tasks to be accomplished by June 30th will not afford it the attention it deserves. We request, instead that the task of establishing how minimization, offsets, and mitigation actions can be determined to be "commensurate with impact," be assigned to a committee with technical representatives who have relevant expertise in river restoration, stormwater management, best management practices, etc., as well as stakeholders and agency staff. This committee's work should be concurrent with, but separate from, the four pilot studies.

5. OTHER ISSUES

Redundant wells

We do not think it makes sense, from a policy standpoint, for the state to begin allowing new wells not subject to conditions 1-8. Since DEP has not implemented its authority to condition registered withdrawals, it is of particular concern that "grandfathered" status

would be extended to new wells. If the state decides to go forward with this part of the proposal, the agencies need to clarify what is meant by “public health and safety concerns.” Because it is not clear how many redundant wells might be developed as a result of this proposed policy change, it is difficult for us to assess its effect on rivers. However, exempting new wells from permitting requirements seems to us a step in the wrong direction, if the goal is to improve water management across the state.

Registrations

The SJC decision left the door open for DEP to condition the use of registered water volumes. The science and stream flow categorization system developed in the SWMI process offers a potential framework for such regulations. We encourage the state to include that in the overall framework.

Proposed outdoor water use restrictions

The restrictions should be based on the science. The SWMI science indicates the maximum acceptable percentage depletion of the August median (for Categories 1-3), but the proposed use restrictions do not use this as a threshold for protecting stream flows in real time. Even watering restrictions would not do so, since they only cover "non-essential outdoor watering." At the least, the simulated August median should be the trigger for restrictions on non-essential water use, because SWMI science definitively found that limiting depletion of the August median is critical.

The impacted 7-day low-flow is the wrong value to use. The value the EOEEA chose for its low-flow trigger, the 7-day low-flow, is a much lower statistic than the August median in most cases – it is much lower than the simulated August median in flow-depleted basins/sub-basins.

By basing the trigger on impacted flows (gage data), the least impacted flows will have the highest – that is, most stringent – requirements, and the most impacted rivers will have the lowest -- least stringent -- requirements. Surcharged basins would have the toughest requirements, while the triggers in flow-depleted basins would be near zero. This is illogical and counterproductive.

Whether or not the town achieved 65 rgpcd in the prior year isn't relevant. Finally, the requirement itself still allows for up to seven days of watering in towns that met 65 rgpcd the prior year, despite strong evidence that this per capita figure is not relevant to the current year use. It allows at least one day of watering in all cases, and up to seven days of watering in some cases. Instead, the amount of watering should depend on the existing level of impacts -- in Flow Level 4-5 sub-basins, no additional watering should occur when flows are below the August median, period. This requirement is currently in effect in Ipswich, and is working well

Recommendation

Use the simulated August median as the trigger for non-essential water use. At a minimum, in all Flow Level 4 and 5 subbasins, outdoor watering should not be allowed when flows are below the August median.

Crediting return flows

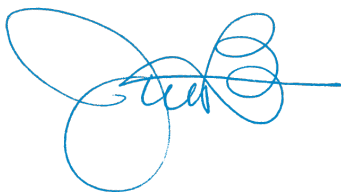
Some rivers in Massachusetts receive significant volumes of wastewater effluent. Large segments of the Assabet, and Upper Blackstone are comprised entirely of wastewater effluent in the summer months. We are deeply concerned about water quality impacts and eutrophic conditions associated with treated wastewater and we urge you to carefully avoid putting in place a policy that encourages communities to discharge more treated effluent to their local rivers, either as “mitigation,” or as a way to discount or offset water withdrawals.

Enforcement

We note that implementing SWMI will increase the burden on DEP’s staff, and the agency will need to increase its staff. We strongly support a budget increase for this purpose.

Thank you for the opportunity to submit these comments, and for the opportunity to play a role in this process. We look forward to working with the EOEEA and its agencies over the next year as you develop regulations and pilot test the framework. If you have any questions, please contact Julia Blatt at the Massachusetts Rivers Alliance.

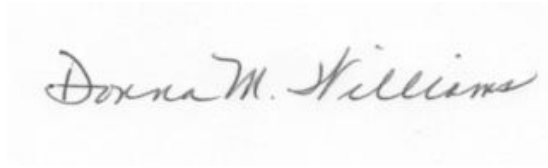
Sincerely,



Julia Blatt
Executive Director
Massachusetts Rivers Alliance



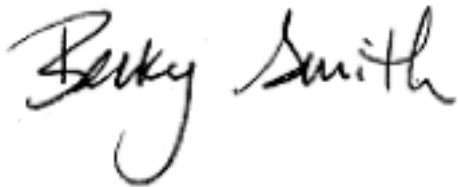
Jane Winn
Executive Director
Berkshire Environmental Action Team

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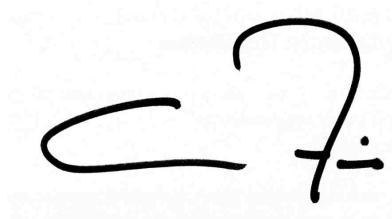
Donna Williams
President
Blackstone River Coalition

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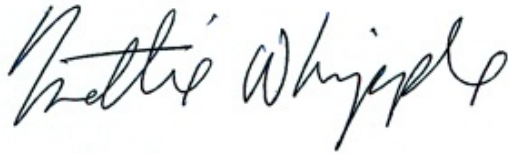
Renata von Tscharnen
President
Charles River Conservancy

A handwritten signature in cursive script that reads "Becky Smith".

Becky Smith
Water Organizer
Clean Water Action

A handwritten signature in cursive script that reads "Andrew Fisk".

Andrew Fisk
Executive Director
Connecticut River Watershed Council



Mettie Whipple
Executive Director
Eel River Watershed Association



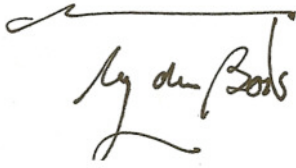
Nancy Goodman
Vice President for Policy
Environmental League of Massachusetts



Ed Becker
Executive Director
Essex County Greenbelt Association



Shepley Evans
Vice President
Housatonic Valley Association

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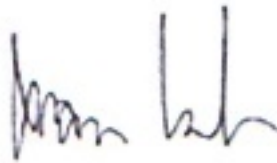
Pine Dubois
Executive Director
Jones River Watershed Association

Ed Himlan

Ed Himlan
Executive Director
Massachusetts Watershed Coalition

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Paul W. Knauth
Chairman
Massachusetts/Rhode Island Council of Trout Unlimited

A handwritten signature in black ink, appearing to read "Ivan Ussach". The signature is cursive and somewhat stylized.

Ivan Ussach
Watershed Coordinator
Millers River Watershed Council



EkOngKar Khalsa
Executive Director
Mystic River Watershed Association



Elizabeth Ainsley Campbell
Executive Director
Nashua River Watershed Association



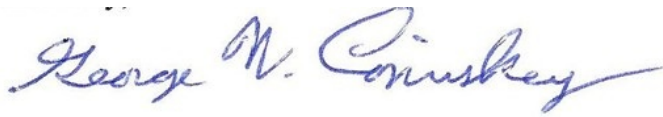
Ian Cooke
Executive Director
Neponset River Watershed Association



Samantha Woods
Executive Director
North and South Rivers Watershed Association

Rob Moir

Rob Moir
President
Ocean River Institute



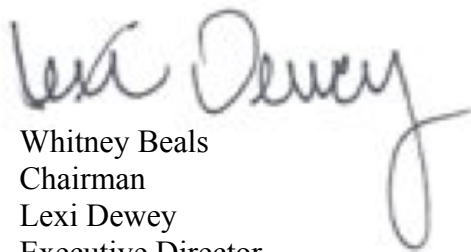
George Comiskey
President
Parker River Clean Water Association



Topher Hamblett
Director of Advocacy
Save the Bay



Marta Nover
Chairperson for Advocacy
Taunton River Watershed Alliance



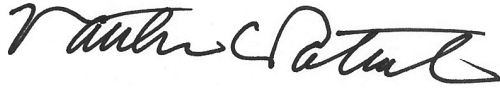
Whitney Beals
Chairman
Lexi Dewey
Executive Director
Water Supply Citizens Advisory Committee (WSCAC)

Christine Collins

Christine Collins

President

Weir River Watershed Association

A handwritten signature in black ink, appearing to read "Matt Patrick". The signature is fluid and cursive, with the first name "Matt" and last name "Patrick" clearly distinguishable.

Matt Patrick

Executive Director

Westport River Watershed Alliance

Cc: DEP Commissioner Ken Kimmell
DFG Commissioner Mary Griffin
DCR Commissioner Ed Lambert

Enc: Offset Credits Memos 3/7/06
Offset Credits Memo 3/20/06
Offset Program Chart